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SUBJECT: UNSC/DARFUR: COUNCIL INCHING TOWARD ADOPTION OF DRAFT RESOLUTION

REF: A. A. SECSTATE 140827

[1](#)B. B. USUN NEW YORK 01621

[11](#). (SBU) SUMMARY. During an August 28 meeting of the Security Council on Darfur, the majority of delegations said that the dire situation in Darfur argued for swift Council action to finalize and adopt the UK-U.S. draft resolution by August 31, although delegations acknowledged that the Government of National Unity (GNU) had still not granted its consent for deployment of UN peacekeepers to Darfur. No GNU representative attended the meeting, but the African Union, Arab League and Organization of the Islamic Conference missions were represented. Department of Peacekeeping Operations A/SYG Annabi gave a breakdown of the financial costs associated with the Secretary-General's recommendations for strengthening AMIS and for deploying UN forces in Darfur. He also provided a critical brief on the GNU's plan for stabilizing Darfur. Most delegations dismissed the viability of a military solution to the Darfur situation. At a subsequent meeting of P5 Ambassadors on the draft UK-U.S. resolution, moderate progress was achieved on OP5 regarding date of transition; updated text in paragraph 9. END SUMMARY.

ANNABI GIVES ANALYSIS OF COSTS AND GNU PLAN

[12](#). (SBU) After repeated requests from Council Members for a financial breakdown of the SYG's recommendations to strengthen AMIS and to deploy UN forces in Darfur, A/SYG Annabi outlined short-term and long-term assistance packages.

For a four-month period, short-term support to AMIS, including integrated command and control and communications assistance, would cost \$22.5 million; longer-term support, including equipment and infrastructure upgrades as well as troop and police training, would cost \$76 million. For expanded UNMIS deployment in Darfur, Annabi gave annual cost estimates as \$1.6 billion for Option 1, \$1.7 billion for Option 2 and \$1.4 billion for Option 3. He noted a financial addendum would be issued to the Council later this week.

[13](#). (SBU) In his analysis of the GNU's August 8 'Plan for the Restoration of Stability and Protection of Civilians in Darfur,' Annabi noted that while certain aspects of the plan could be positively developed, DPKO was concerned that the GNU's planned deployment of 26,500 SAF and SLM/Minawi forces would violate the Darfur Peace Agreement (DPA), since the GNU, as a party to the DPA, could not be considered a neutral arbiter in the conflict. According to Annabi, the only appropriate party for enforcing the DPA would be a UN force;

however, reference to this force was conspicuously absent from the GNU's plan. On the plus side, Annabi welcomed GNU promises to remove obstacles to UNMIS' freedom of movement, to expedite planning for the Darfur-Darfur Dialogue and Consultation (DDDC) and to address violence against women and children.

EGELAND URGES IMMEDIATE POLITICAL ACTION

¶4. (SBU) OCHA U/SYG Egeland warned that without immediate political action by the Security Council, the situation in Darfur could escalate into a 'man-made catastrophe on an unprecedented scale.' He noted that while Darfur insecurity, particularly incidents of gender-based violence, was currently at its highest, humanitarian access was at its lowest level since 2003-2004, a proportion which threatened to put Darfur 'at the brink of war.' Egeland warned that the \$300 million funding shortfall might cause the World Food Programme to cut food rations in October. Egeland echoed Annabi's stance that there could be no military solution to the Darfur conflict, and he added that AMIS needed urgent strengthening until the UN could take over its responsibilities in Darfur.

AU PSC TO MEET ON AMIS' FUTURE; AL AND OIC SUPPORT GNU VIEWS

¶5. (SBU) The representative of the AU Mission explained that the AU Peace and Security Council (PSC) would meet imminently to discuss AMIS' future and would take into account the provisions of its January 12, March 10 and May 15 communiques regarding transition of AMIS to a UN operation in spite of GNU resistance. She urged the Council in its deliberations on the UK-U.S. draft resolution to consider the AU PSC March 10 communique and the AU's responsibilities under the DPA, particularly of establishing the DDDC. Both the AL and OIC Ambassadors urged the Council to take into consideration GNU concerns before adopting the draft resolution. The OIC

USUN NEW Y 00001660 002 OF 007

Ambassador added that his delegation supported the GNU's Darfur plan and that the OIC SYG would try to meet with SYG Annan in Beirut to discuss this issue.

MEMBERS DISMISS GNU PLAN, READY TO MOVE ON DRAFT RESOLUTION

¶6. (SBU) Only Russia, China and Qatar spoke to the 'merits' of the GNU stabilization plan for Darfur, such as its provisions for disarming the Janjaweed, for providing power-and wealth-sharing agreements and for combating impunity. All other delegations dismissed its viability, as its proposed massive use of force to address the problems of Darfur would constitute a violation not only of the DPA but of UNSCR 1591 as well and would result in further human rights violations. Ghanaian PR and current UNSC President Effah-Apenteng decried the enforcement aspect of the GNU's Darfur pacification plan.

¶7. (SBU) Delegations, especially the African members, spoke to the need for the Council to pursue 'robust and resolute action' on Darfur, with the UK Ambassador and Ambassador Bolton urging adoption of the draft resolution by August 31. Most members agreed on the need for rapid Council action. The Tanzanian DPR warned of Council 'failure' if the resolution were not expeditiously adopted, and the Danish delegate remarked that the Council had 'no alternative' to adopting the draft resolution while continuing to push for GNU consent. The Ghanaian President characterized 'timely transition' as the key to facilitating DPA implementation. The Peruvian and Argentine delegates were very firm in their support for the draft resolution and in their commitment to working toward GNU consent for the UN deployment. Delegations expressed regret that the GNU neither participated in nor was represented at the Council meeting, despite the fact that the GNU itself had sought such type of engagement with the Council on this issue of mutual concern.

P5 DISCUSSION

¶8. (SBU) P5 Ambassadors made moderate progress on the UK-U.S. draft resolution in negotiations immediately following the

adjournment of the private meeting. Discussion revolved around the date of transition in OP5, with Russia and China arguing that October 1 was 'unrealistic' for AMIS transition.

To resolve this impasse, Ambassador Bolton proposed adding to the end of the last line of OP5 the phrase, 'and in no event later than 31 December 2006,' in order to specify an end date on deploying UN forces into Darfur, which seemed acceptable around the table. Russia proved flexible on the wording of the consent reference in the draft text, and China is awaiting guidance on whether or not it can accept a trade proposed by UKUN to retain the 'Responsibility to Protect' reference in PP2 for mention of GNU consent. P5 Ambassadors may re-convene August 29 to continue work on the text.

19. (U) Begin draft resolution text:

The Security Council,

Recalling its previous resolutions concerning the situation in the Sudan, in particular resolutions 1679 (2006) of 16 May 2006, 1665 (2006) of 29 March 2006, 1663 (2006) of 24 March 2006, 1593 (2005) of 31 March 2005, 1591 (2005) of 29 March 2005, 1590 (2005) of 24 March 2005, 1574 (2004) of 19 November 2004, 1564 (2004) of 18 September 2004 and 1556 (2004) of 30 July 2004 and the statements of its President concerning the Sudan,

Recalling also its previous resolutions 1325 (2000) on women, peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1612 (2005) on children and armed conflict, and 1674 (2006) on the protection of civilians in armed conflict, which reaffirms *inter alia* the provisions of paragraphs 138 and 139 of the 2005 United Nations World Summit outcome document, as well as the report of its Mission to the Sudan and Chad from 4th to 10th June 2006,

Reaffirming its strong commitment to the sovereignty, unity, independence, and territorial integrity of the Sudan, which would be unaffected by transition to a United Nations operation in Darfur, and to the cause of peace, expressing its determination to work with the Government of the Sudan, in full respect of its sovereignty, to assist in tackling the

USUN NEW Y 00001660 003 OF 007

various problems confronting the Sudan and that a United Nations operation in Darfur shall have, to the extent possible, a strong African participation and character,

Commending the efforts of the signatories to the Darfur Peace Agreement, expressing its belief that the Agreement provides a basis for sustained security in Darfur, reiterating its welcome of the statement of 9 May 2006 by the representative of the Sudan at the United Nations Security Council Special Session on Darfur of the Government of National Unity's full commitment to implementing the Agreement, stressing the importance of launching the Darfur-Darfur dialogue and consultation as soon as possible, and recognising that international support for implementation of the Agreement is critically important to its success,

Commending the efforts of the African Union for the successful deployment of the African Union Mission in the Sudan (AMIS), as well as the efforts of Member States and regional and international organisations that have assisted it in its deployment, and AMIS' role in reducing large-scale organised violence in Darfur, recalling the decision of the African Union Peace and Security Council of 27 June 2006, as outlined in paragraph 10 of its Communiqué, that the African Union is ready to review the mandate of AMIS in the event that the ongoing consultations between the Government of the Sudan and the United Nations conclude on an agreement for a transition to a United Nations peacekeeping operation, stressing the need for AMIS to assist implementation of the Darfur Peace Agreement until transition to the United Nations force in Darfur is completed, welcoming the decision of the

African Union Peace and Security Council of 27 June 2006 on strengthening AMIS' mandate and tasks, including on the protection of civilians, and considering that AMIS needs urgent reinforcing,

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, in particular Chad and the Central African Republic, and stressing that regional security aspects must be addressed to achieve long lasting peace in Darfur,

Remaining deeply concerned over the recent deterioration of relations between the Sudan and Chad, calling on the governments of the two countries to abide by their obligations under the Tripoli Agreement of 8 February 2006 and the agreement between the Sudan and Chad signed in N'djamena on 26 July 2006 and to begin implementing the confidence building measures which they have voluntarily agreed upon, welcoming the recent re-establishment of diplomatic relations between the Sudan and Chad, and calling upon all States in the region to co-operate in ensuring regional stability,

Re-iterating its strong condemnation of all violations of human rights and international humanitarian law in Darfur, and calling upon the Government of National Unity to take urgent action to tackle gender based violence in Darfur including action towards implementing its Action Plan to Combat Violence Against Women in Darfur with particular focus on the rescission of Form 8 and access to legal redress,

Expressing its deep concern for the security of humanitarian aid workers and their access to populations in need, including refugees, internally displaced persons and other war-affected populations, and calling upon all parties, in particular the Government of National Unity, to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need in Darfur as well as the delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

Taking note of the communiqués of 12 January, 10 March, 15 May and 27 June 2006 of the Peace and Security Council of the African Union regarding transition of AMIS to a United Nations operation,

Taking note of the report of the Secretary-General on Darfur dated 28 July 2006 (S/2006/591),

Determining that the situation in the Sudan continues to

USUN NEW Y 00001660 004 OF 007

constitute a threat to international peace and security,

OP1 Decides, without prejudice to its existing mandate and operations as provided for in Resolution 1590 (2005) and in order to support the early and effective implementation of the Darfur Peace Agreement, that UNMIS' mandate shall be expanded as specified in paragraphs 8, 9 and 12 below and that it shall deploy to Darfur on the basis of the support of the Government of the Sudan, and urges member states to provide the capability for an expeditious deployment;

OP2 Requests the Secretary-General to arrange the rapid deployment of additional capabilities for UNMIS, in order that it may deploy in Darfur, in accordance with the recommendation contained in his report dated 28 July 2006;

OP3 Decides that UNMIS shall be strengthened by up to (17,300) military personnel and by an appropriate civilian component including up to (3,300) civilian police personnel and up to (16) Formed Police Units, and expresses its determination to keep UNMIS' strength and structure under regular review, taking into account the evolution of the situation on the ground and without prejudice to its current

operations and mandate as provided for in Resolution 1590 (2005);

OP4 Expresses its intention to consider authorising possible additional temporary reinforcements of the military component of UNMIS, at the request of the Secretary General, within the limits of the troop levels recommended in paragraph 87 of his report dated 28 July 2006;

OP5 Requests the Secretary-General to consult jointly with the African Union, in close and continuing consultation with the parties to the Darfur Peace Agreement, including the Government of National Unity, on a plan and timetable for transition from AMIS to a UN operation in Darfur; decides that those elements outlined in paragraphs 40 to 58 of the Secretary-General's report of 28 July 2006 shall begin to be

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deployed no later than 1 October 2006, that thereafter as part of the process of transition to a United Nations operation additional capabilities shall be deployed as soon as feasible and that UNMIS shall take over from AMIS responsibility for (peacekeeping, including) supporting the implementation of the Darfur Peace Agreement, by no later than 31 December 2006; and calls upon the African Union to extend its mandate in order to facilitate transition on this basis;

OP6 (Notes that the Agreement between the UN and the Sudan of 28 December 2005 on the status of the UN in Sudan, as outlined in Resolution 1590 (2005), applies equally to UNMIS' operations throughout the Sudan, including in Darfur.)

OP7 Requests the Secretary-General to take the necessary steps to strengthen AMIS through the use of existing and additional United Nations resources with a view to transition to a UN operation in Darfur; and authorizes the Secretary-General during this transition to implement the

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longer-term support to AMIS outlined in the report of the Secretary-General of 28 July 2006, including provision of air

SIPDIS
assets, ground mobility package, training, engineering and logistics, mobile communications capacity and broad public information assistance;

OP8 Decides that the mandate of UNMIS in Darfur shall be to support implementation of the Darfur Peace Agreement of 5 May 2006 and the N'djamena Agreement on Humanitarian Cease-fire on the Conflict in Darfur ("the Agreements"), including by performing the following tasks:

(a) To monitor and verify the implementation by the parties of Chapter 3 ("Comprehensive Cease-fire and Final Security Arrangements") of the Darfur Peace Agreement and the N'djamena Agreement on Humanitarian Cease-fire on the Conflict in Darfur;

(b) To observe and monitor movement of armed groups and redeployment of forces in areas of UNMIS deployment by ground and aerial means in accordance with the Agreements;

(c) To investigate violations of the Agreements and to

USUN NEW Y 00001660 005 OF 007

report violations to the Cease-fire Commission; as well as to co-operate and co-ordinate, together with other International Actors, with the Cease-fire Commission, the Joint Commission, and the Joint Humanitarian Facilitation and Monitoring Unit established pursuant to the Agreements including through provision of technical assistance and logistical support;

(d) To maintain, in particular, a presence in key areas, such as buffer zones established pursuant to the Darfur Peace

Agreement, areas inside internally displaced persons camps and demilitarised zones around and inside internally displaced persons camps, in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring use of force;

(e) To monitor trans-border activities of armed groups along the Sudanese borders with Chad and the Central African Republic in particular through regular ground and aerial reconnaissance activities;

(f) To assist with development and implementation of a comprehensive and sustainable programme for disarmament, demobilisation and reintegration of former combatants and women and children associated with combatants, as called for in the Darfur Peace Agreement and in accordance with Resolutions 1556 (2004) and 1564 (2004);

(g) To assist the parties, in co-operation with other international actors, in the preparations for and conduct of referenda provided for in the Darfur Peace Agreement;

(h) To assist the parties to the Agreements in promoting understanding of the peace accord and of the role of UNMIS, including by means of an effective public information campaign, targeted at all sectors of society, in co-ordination with the African Union;

(i) To co-operate closely with the Chairperson of the Darfur-Darfur Dialogue and Consultation (DDDC), provide support and technical assistance to him, and co-ordinate other United Nations agencies' activities to this effect, as well as to assist the parties to the DDDC in addressing the need for an all-inclusive approach, including the role of women, towards reconciliation and peace-building;

(j) To work with the national police, in co-ordination with bilateral and multilateral assistance programmes, in reform restructuring, and institutional development, training and capacity building of the police, movements police liaison officers, and community police, and to monitor their performance through mentoring, co-location, and joint patrols;

(k) To assist in promoting the rule of law, including through support to strengthening an independent judiciary and professional corrections system, and combating impunity and protecting the human rights of all people of the Sudan, in close co-operation with other United Nations agencies, funds and programmes and non-governmental organisations.

(l) (To ensure adequate human rights and gender presence, capacity and expertise within UNMIS to carry out human rights promotion, civilian protection and gender sensitive monitoring activities.)

OP9 Decides further that the mandate of UNMIS in Darfur shall also include the following:

(a) To facilitate and co-ordinate in close co-operation with relevant UN agencies, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance inter alia by helping to establish the necessary security conditions in Darfur;

(b) To contribute towards international efforts to protect, promote and monitor human rights in Darfur, as well as to co-ordinate international efforts towards the protection of civilians with particular attention to vulnerable groups including internally displaced persons, returning refugees, and women and children;

(c) To assist the parties to the Agreements, in

USUN NEW Y 00001660 006 OF 007

co-operation with other international partners in the mine

action sector, by providing humanitarian de-mining assistance, technical advice, and co-ordination, as well as mine awareness programmes targeted at all sectors of society;

(d) To assist in addressing regional security issues in close liaison with international efforts to improve the security situation in the neighbouring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic, including through the establishment of a multi-dimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in internally displaced persons and refugee camps, and if necessary, in the Central African Republic, and to contribute to the implementation of the Agreement between the Sudan and Chad signed on 26 July 2006.

OP10 Calls upon all Member States to ensure the free, unhindered and expeditious movement to the Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of UNMIS in Darfur;

OP11 Requests the Secretary-General to keep the Council regularly informed of the progress in implementing the Darfur Peace Agreement, respect for the cease-fire, and the implementation of the mandate of UNMIS in Darfur, and to report to the Council, as appropriate, on the steps taken to implement this resolution and any failure to comply with its demands;

OP12 Acting under Chapter VII of the Charter of the United Nations,

(a) decides that UNMIS is authorised to (use all necessary means), in the areas of deployment of its forces and as it deems within its capabilities:

- to protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations personnel, humanitarian workers, assessment and evaluation commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under threat of physical violence,
- in order to support early and effective implementation of the Darfur Peace Agreement, to prevent attacks and threats against civilians,
- to seize or collect, as appropriate, arms or related material whose presence in Darfur is in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of Resolution 1556, and to dispose of such arms and related material as appropriate;

(b) Requests that the Secretary-General and the Governments of Chad and the Central African Republic conclude status-of-forces agreements as soon as possible, taking into consideration General Assembly resolution 58/82 on the scope of legal protection under the Convention on the Safety of United Nations and Associate Personnel, and decides that pending the conclusion of such an agreement with either country, the model status-of-forces agreement dated 9 October 1990 (A/45/594) shall apply provisionally with respect to UNMIS forces operating in that country;

OP13 Requests the Secretary General to report to the Council on the protection of civilians in refugee and internally displaced persons camps in Chad and on how to improve the security situation on the Chadian side of the border with Sudan.

OP14 Calls upon the parties to the Darfur Peace Agreement to respect their commitments and implement the agreement without delay, urges those parties that have not signed the Agreement to do so without delay and not to act in any way that would impede implementation of the Agreement, and reiterates its intention to take, including in response to a request by the

African Union, strong and effective measures, such as an asset freeze or travel ban, against any individual or group that violates or attempts to block the implementation of the

USUN NEW Y 00001660 007 OF 007

Agreement or commits human rights violations;

OP15 Decides to remain seized of the matter.

¶10. (U) End draft resolution text.
BOLTON